

Debtor(s).

- Movant requests that the Court confirm that neither the Sublease identified in the Motion nor any portion of the Property located at Suites 400 and 490 of 3345 Michelson Drive and Suite 400 of 3347 Michelson Drive, Irvine, CA 92612 ("Property") constitute property of the bankruptcy estate. In the alternative, Movant requests that the Court terminate (and, if necessary, annul) the automatic stay of 11 U.S.C. § 362(a) to allow Movant to proceed with its right to obtain possession of the Property.

b. Identify the parties affected by the relief requested in the motion:

Richard A. Marshack, Chapter 11 Trustee  
Committee of Unsecured Creditors  
Debtor The Litigation Practice Group PC  
The Morning Law Group PC

c. State the reasons necessitating a hearing on shortened time:

Movant seeks to obtain possession of the Property, which has been being used by the Debtor, the Trustee and Morning Law Group without any authorization to do so and for which no rent has been paid post-petition. Insurance has lapsed and substantial repairs need to be completed. Additional unauthorized occupants have obtained access to the Property and are operating their businesses from the Property as well. The Trustee and Morning Law Group have taken the position that either the Property, the Sublease described in the Motion (as between Movant and Sublessees Innovative Solutions, Inc. and Prime Logix, LLC), or an alleged oral sub-sublease between Sublessees and Phoenix Law Group (which calls for no rent payments whatsoever) constitute property of the bankruptcy estate. Movant respectfully requests an order confirming that the stay does not apply or, alternatively, relief from stay, so that it can proceed with its rights to obtain possession of the Property.

3. Compliance with LBR 9075-1(b)(2)(B): The attached declaration(s) justifies setting a hearing on shortened notice, and establishes a *prima facie* basis for the granting of the motion.
4. Movant has lodged a proposed Order Setting Hearing on Shortened Notice on mandatory form F 9075-1.1.ORDER .SHORT.NOTICE

Date: August 17, 2023

Snell & Wilmer LLP

Printed name of law firm

/s/ Andrew B. Still

Signature of individual Movant or attorney for Movant

Andrew B. Still

Printed name of individual Movant or attorney for Movant

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
600 Anton Boulevard, Suite 1400, Costa Mesa, California 92614

A true and correct copy of the foregoing document entitled: **APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)] and Declaration in Support** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 08/17/23, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Eric Bensamochan** eric@eblawfirm.us, G63723@notify.cincompass.com
- **Peter W Bowie** peter.bowie@dinsmore.com, caron.burke@dinsmore.com
- **Ronald K Brown** ron@rkbrownlaw.com
- **Christopher Celentino** christopher.celentino@dinsmore.com, caron.burke@dinsmore.com
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- **Randall Baldwin Clark** rbc@randallbclark.com
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- **Victoria Newmark** vnewmark@pszjlaw.com
- **Queenie K Ng** queenie.k.ng@usdoj.gov

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This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

- **Keith C Owens** kowens@foxrothschild.com, khoang@foxrothschild.com
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- **Andrew Still** astill@swlaw.com, kcollins@swlaw.com
- **United States Trustee (SA)** ustpregion16.sa.ecf@usdoj.gov
- **Sharon Z. Weiss** sharon.weiss@bclplaw.com, raul.morales@bclplaw.com,REC\_KM\_ECF\_SMO@bclplaw.com
- **Johnny White** JWhite@wrslawyers.com, jlee@wrslawyers.com

☐ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) 08/17/23, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor:

The Litigation Practice Group PC  
17542 17th Street, Suite 100  
Tustin, CA 92780

Trustee

Richard A. Marshack  
870 Roosevelt  
Irvine, CA 92620

Committee of Unsecured Creditors

c/o Fox Rothschild LLP  
Attn: Nicholas A. Koffroth  
10250 Constellation Blvd.  
Suite 900  
Los Angeles, CA 90067

The Morning Law Group PC

Attn: Officer, Director or Manager  
950 County Square Drive, 104  
Ventura, CA 93003

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) 08/17/23, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**Via Federal Express:**

The Honorable Scott C. Clarkson  
United States Bankruptcy Court, Central District  
411 West Fourth Street, Suite 5130  
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

08/17/23

*Date*

Kimberly A. Collins

*Printed Name*

/s/ Kimberly A. Collins

*Signature*